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Folder Title: JGR/FOIA
(Freedom of Information Act) (3 of 6)

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WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name ROBERTS, JOHN: FILES

Withdrawer

SMF 8/6/2005

File Folder JGR/FOIA (FREEDOM OF INFORMATION ACT) (3 OF 6)

FOIA

F05-139/01

Box Number 26

COOK

SF-5

DOC NO	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
1	MEMO	PERSONAL DATA STATEMENT	3	4/28/1981	B6	870
2	LETTER	DOUGLAS MATHESON TO DIANA 174113	1	10/5/1983	B6	871

Freedom of Information Act - [5 U.S.C. 552(b)]

B-1 National security classified information [(b)(1) of the FOIA]

B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]

B-3 Release would violate a Federal statute [(b)(3) of the FOIA]

B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]

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B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]

B-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]

B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

E.O. 13233

C. Closed in accordance with restrictions contained in donor's deed of gift.

THE WHITE HOUSE

WASHINGTON

September 1, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*
SUBJECT: Freedom of Information Act Request of
Melvin K. Najarian

The Department of Defense has forwarded to us a document found in its files, responsive to an FOIA request filed by Melvin K. Najarian, who asked for files relating to former Assistant Secretary of the Navy, George A. Sawyer. The document is a copy of Sawyer's response to our Personal Data Statement memorandum. I called Defense to determine the origin of that document, and was advised that Sawyer kept a copy in his own files. I see no basis for objecting to its release. We advise individuals that their responses to the PDS will be kept confidential, but we cannot be responsible for copies retained by the individuals themselves.

Attachment

THE WHITE HOUSE

WASHINGTON

September 1, 1983

MEMORANDUM FOR WILLIAM C. MILLER
EXECUTIVE ASSISTANT
DEPARTMENT OF THE NAVY

FROM: FRED F. FIELDING *Orig. signed by FFF*
COUNSEL TO THE PRESIDENT

SUBJECT: Freedom of Information Act Request of
Melvin K. Najarian

Counsel's Office has reviewed the memorandum, dated April 28, 1981, to Fred F. Fielding from George A. Sawyer, which was contained in those files responsive to the FOIA request of Melvin K. Najarian. The document appears to be Mr. Sawyer's response to our office's routine request for a Personal Data Statement from anyone being considered for a Presidential appointment or nomination. While we maintain the confidentiality of such responses received by our office, we cannot control copies retained by the individuals themselves. Accordingly, we have no objection to release of the document.

FFF:JGR:aea 9/1/83

cc: FFFielding
✓ JGRoberts
Subj.
Chron

THE WHITE HOUSE

WASHINGTON

September 1, 1983

MEMORANDUM FOR WILLIAM C. MILLER
EXECUTIVE ASSISTANT
DEPARTMENT OF THE NAVY

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Freedom of Information Act Request of
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FFF:JGR:aea 9/1/83

cc: FFFielding
JGRoberts
Subj.
Chron

FEO10-01
JH

**WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD) 1/1/

Name of Correspondent:

Brenda S. Reger / William C. Miller

☐ MI Mail Report

User Codes: (A) (B) (C)

Subject:

Freedom of Information Act Request
of Melvin K. Nazarian**ROUTE TO:****ACTION****DISPOSITION**

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
CU4011	ORIGINATOR	DDI 83,08,15			1/1
CU4011	Referral Note:	D DDI 83,08,15		S	83,08,25
	Referral Note:				1/1
	Referral Note:				1/1
	Referral Note:				1/1
	Referral Note:				1/1

ACTION CODES:

A - Appropriate Action
C - Comment/Recommendation
D - Draft Response
F - Furnish Fact Sheet
to be used as Enclosure

I - Info Copy Only/No Action Necessary
R - Direct Reply w/Copy
S - For Signature
X - Interim Reply

DISPOSITION CODES:

A - Answered
B - Non-Special Referral
C - Completed
S - Suspended

FOR OUTGOING CORRESPONDENCE:

Type of Response = Initials of Signer
Code = "A"
Completion Date = Date of Outgoing

Comments:

~~Aug 11 05 Brenda S. Reger~~
~~For Freedom of Information Act Request~~

Keep this worksheet attached to the original incoming letter.

Send all routing updates to Central Reference (Room 75, OEOb).

Always return completed correspondence record to Central Files.

Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

August 11, 1983


MEMORANDUM FOR Fred Fielding

SUBJECT: Freedom of Information Act Request of Melvin K. Najarian

The Department of Defense inadvertently forwarded the Freedom of Information Act request of Melvin K. Najarian to the National Security Council Staff.

Enclosed is the Najarian request for a appropriate action.

Sincerely,



Brenda S. Reger
Director
Information Policy
and Security Review

Attachments
Defense Memo
Navy Memo
FOIA Request
Sawyer Memo



OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301

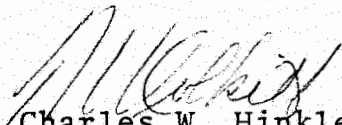
PUBLIC AFFAIRS

Ref: 83-FOI-1040

MEMORANDUM FOR MS. BRENDA REGER
Director, Freedom of Information
National Security Council

SUBJECT: Freedom of Information Request - Melvin K.
Najarian

The attached memorandum from Mr. George A. Sawyer, former Assistant Secretary of the Navy (Shipbuilding and Logistics) to Mr. Fred C. Fielding, Counsel to the President, is forwarded for review. This office finds no reason to withhold the document and does not agree with the Department of the Navy's characterization of the document as a White House record; however, it appears to have been submitted in response to a White House requirement. Accordingly, review by your agency appears appropriate.

for 
Charles W. Hinkle
Director, Freedom of Information
and Security Review

Attachments (3)
1 - Navy memo
2 - FOIA request
3 - Sawyer memo

AUG 11 1983
FOI



DEPARTMENT OF THE NAVY

OFFICE OF THE ASSISTANT SECRETARY
(SHIPBUILDING AND LOGISTICS)
WASHINGTON, D. C. 20360

164070 *cu*

AUG 03 1983

MEMORANDUM FOR THE DIRECTOR FOR FREEDOM OF INFORMATION AND SECURITY REVIEW
OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE (PUBLIC AFFAIRS)

SUBJ: Freedom of Information Act request

By letter of June 27, 1983, Mr. Melvin K. Najarian of the San Francisco law firm of Haas & Najarian filed a Freedom of Information Act request with the Department of the Navy for documents relating to Mr. George A. Sawyer, the former Assistant Secretary of the Navy (Shipbuilding and Logistics).

The second request in Mr. Najarian's letter appears to cover Mr. Sawyer's memorandum to Mr. Fred F. Fielding, Counsel to the President, dated April 28, 1981, Subject: Personal Data Statement. In that this document is considered to be a White House record, Mr. Najarian's request with respect to it is hereby referred to you for appropriate action under the Act.

Copies of Mr. Najarian's request and Mr. Sawyer's memorandum are enclosed.

Very respectfully,

WILLIAM C. MILLER
Captain, U.S. Navy
Executive Assistant

Enclosures

HAAS & NAJARIAN

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

ATTORNEYS AT LAW

530 JACKSON STREET, SUITE 303
SAN FRANCISCO, CALIFORNIA 94133
(415) 788-6330

LOUIS N. HAAS
MELVIN K. NAJARIAN
A. ROGER JEANSON
DAVID E. BUNIM
AARON S. MILBERG
ROBERT C. NICHOLAS
TIMOTHY H. POWER
GLENN Y. LUM
JOHN H. MISSIRLIAN
THOMAS P. COOK

June 27, 1983

A PROFESSIONAL CORPORATION

Office of Counsel
Military Sealift Command
4228 Wisconsin Avenue - Northwest
Washington, D.C. 20390

Re: Freedom of Information Act Request

Gentlemen:

This letter is a request for records pursuant to the Freedom of Information Act, 5 U.S.C. § 552 (as amended).

The term "records", except as otherwise specified, includes all letters, memoranda, written notes of telephone calls, calendars, and staff papers.

As provided for in the amended act, I will expect to receive a reply within 10 working days.

I request copies of the following documents and records:

- (1) Copies of any GSA Standard Form 2, GSA Standard Form 19, GSA Standard Form 23, GSA Standard Form 26, GSA Standard Form 43, DOL Standard Form 99, page 1 of DOD Form 731, DOD Form 731-1, page 1 of DD Form 1155, page 1 of DD Form 1513, and similar documents which show any contracting activity between the United States Government and the following individuals and corporations since January 1, 1980 to the date of this request:

TRE Corporation
Weslock Co.
Modern Faucet Mfg. Co.
TRE Semiconductor Equipment Corporation
Atlantic Coast Port Services, Corporation
Norton Lilly Management Corp.
Dixie Stevedores, Inc.
Everglades Corporation
Continental Container-Service, Inc.

RECEIVED

JUL 01 '83

OFFICE OF COUNSEL
COMSC

Hudson Engineering Co., Inc.
Jefferson Electric Corporation
The Houston Astros
South Portland Engine Co., Inc.
McMullen Holdings, Inc.
Marine Brass Foundry, Inc.
American Ship Building
John J. McMullen Associates, Inc.
The New Jersey Devils Hockey Team
John J. McMullen
Perth Amboy Drydock Co., Inc.
Cornell & Underhill
Pacific Marine Corporation
Ogden Corporation
Dredge Technology Corporation

2. Copies of the employment application and records in connection with the appointment and employment of George A. Sawyer (Assistant Secretary of the Navy) by the U.S. Navy that disclose his employment by John J. McMullen Associates, Inc.; McMullen Holdings, Inc.; John J. McMullen; Hudson Engineering Co., Inc.; or Norton, Lilly & Company, Inc.
3. Copies of the standards of conduct and conflict of interest disclosure documents and records submitted by George A. Sawyer (Assistant Secretary of the Navy) to the Department of Defense or U.S. Navy in connection with his appointment and employment by the U.S. Navy.
4. Copies of all documents and records in connection with the travel of George A. Sawyer (Assistant Secretary of the Navy) to or from New York City, including but not limited to, travel documents, meals, taxi and transportation expenses, vehicle rentals, and expense reports or similar documents and records.
5. Copies of any documents or records in connection with the furnishing or performance of any services, work, materials, or supplies to George A. Sawyer (Assistant Secretary of the Navy) by the U.S. Navy, including but not limited to, housekeeping services.

6. Copies of any documents or records in connection with reimbursement by anyone to the U.S. Navy for the services and goods provided in the preceding paragraph.
7. Copies of any documents or records of any communications in any form between George A. Sawyer (Assistant Secretary of the Navy) and:

TRE Corporation
John J. McMullen
Norton, Lily & Co., Inc.
Atlantic Coast Port Services, Corporation
Norton Lilly Management Corp.
Dixie Stevedores, Inc.
Everglades Corporation
Continental Container-Service, Inc.
Hudson Engineering Co., Inc.
Jefferson Electric Corporation
The Houston Astros
South Portland Engine Co., Inc.
McMullen Holdings, Inc.
Marine Brass Foundry, Inc.
American Ship Building
The New Jersey Devils Hockey Team
John J. McMullen
Perth Amboy Drydock Co., Inc.
Cornell & Underhill
Pacific Marine Corporation
Cgden Corporation
Dredge Technology Corporation

As you know, the amended Act provides that if some parts of a record are exempt from a release then "reasonably segregable" portions shall be provided. I therefore request that, if you determine that some portions of the requested records are exempt, you provide me immediately with a copy of the remainder of the records. I, of course, reserve my right to appeal any such decisions.

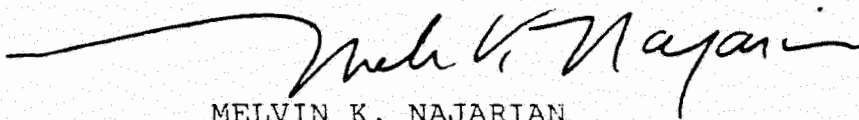
In the event that access is denied to any part of the requested records, please describe the deleted material in detail and specify the statutory basis for the denial as well as your reasons for believing that your interpretation of the statutory justification applies in this instance. Please separately state your reasons for not invoking your discretionary powers to release any deleted material in the public interest. Such statements will be helpful in deciding whether to appeal an adverse determination.

Such written justifications will also help to avoid a waste of the taxpayers' money in unnecessary litigation.

I am prepared to pay reasonable costs for locating the requested records and reproducing them. If you have any questions regarding this request, please telephone me at the above number.

Sincerely,

HAAS & NAJARIAN

A handwritten signature in dark ink, appearing to read "Melvin K. Najarian". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

MELVIN K. NAJARIAN

MKN/cbs

WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name

ROBERTS, JOHN: FILES

Withdrawer

SMF 8/6/2005

File Folder

JGR/FOIA (FREEDOM OF INFORMATION ACT) (3 OF 6)

FOIA

F05-139/01

COOK

Box Number

26

SF-5

DOC Document Type

No of Doc Date Restric-
pages tions

NO Document Description

1 MEMO

3 4/28/1981 B6

870

PERSONAL DATA STATEMENT

Freedom of Information Act - [5 U.S.C. 552(b)]

B-1 National security classified information [(b)(1) of the FOIA]

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E.O. 13233

C. Closed in accordance with restrictions contained in donor's deed of gift.

THE WHITE HOUSE

WASHINGTON

October 3, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS

SUBJECT: FOIA Request of Guy E. Sandler
Regarding Guy E. Sandler

The FBI has referred for our review a document from their files responsive to the above-referenced FOIA request. The FBI proposes to release the document, with the classified portions blacked out and the appropriate exemption - b(1) - claimed. The remainder of the document is largely meaningless. I have no objection to this proposed course of action, and recommend that you sign the attached memorandum.

Attachment

THE WHITE HOUSE

WASHINGTON

October 3, 1983

MEMORANDUM FOR JAMES K. HALL
CHIEF, FOI/PA SECTION
FEDERAL BUREAU OF INVESTIGATION

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: FOIA Request of Guy E. Sandler
Regarding Guy E. Sandler
FBI FOI/PA # 235,346
Document 100-442415-11

By memorandum dated September 30, 1983, you asked for our views on the release of the above-referenced document in response to the FOIA request of Guy E. Sandler. Our office has no objection to releasing the document as shown on Enclosure A, with the redactions proposed by the FBI.

FFF:JGR:aea 10/3/83

cc: FFFielding
JGRoberts
Subj
Chron

THE WHITE HOUSE

WASHINGTON

October 3, 1983

MEMORANDUM FOR JAMES K. HALL
CHIEF, FOI/PA SECTION
FEDERAL BUREAU OF INVESTIGATION

FROM: FRED F. FIELDING *Orig. signed by FFF*
COUNSEL TO THE PRESIDENT

SUBJECT: FOIA Request of Guy E. Sandler
Regarding Guy E. Sandler
FBI FOI/PA # 235,346
Document 100-442415-11

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FFF:JGR:aea 10/3/83

cc: FFFielding
JGRoberts
Subj
Chron

THE WHITE HOUSE
WASHINGTON

October 17, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*
SUBJECT: FOIA Request of Douglass Lee Matheson

Mr. Matheson has filed an FOIA request with Dianna asking for all his files at the FBI, CIA, MI(ASA) (?), and Office of the President. While I do of course like to help Dianna's friends whenever possible, I recommend that we advise Mr. Matheson that we are not subject to the FOIA and that he should write directly to the other agencies he has listed. An appropriate letter is attached.

Attachment

THE WHITE HOUSE

WASHINGTON

October 17, 1983

Dear Mr. Matheson:

This is in response to your letter of October 5. In that letter you requested, pursuant to the Freedom of Information Act, copies of files at various agencies and offices.

Please be advised that the White House Office, "whose sole function is to advise and assist the President," is not an agency subject to the Freedom of Information Act. Kissinger v. Reporters Committee for Freedom of the Press, 445 U.S. 136, 156 (1980). Accordingly, we are not in a position to respond to your Freedom of Information Act request.

If you will write directly to those agencies listed in your request that are subject to the Freedom of Information Act, those agencies will respond to your request in an appropriate manner.

Sincerely,

Orig. signed by FFF

Fred F. Fielding
Counsel to the President

Mr. Douglass Lee Matheson
South 155 Oak, #C-4
Spokane, WA 99204

FFF:JGR:aea 10/17/83
cc: FFFielding
JGRoberts
Subj
Chron

THE WHITE HOUSE

WASHINGTON

October 17, 1983

Dear Mr. Matheson:

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Sincerely,

Fred F. Fielding
Counsel to the President

Mr. Douglass Lee Matheson
South 155 Oak, #C-4
Spokane, WA 99204

FFF:JGR:aea 10/17/83

cc: FFFfielding
JGRoberts
Subj
Chron

ID # 174113 CU

FEO10-01

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD) 1/1/1Name of Correspondent: Douglas Lee Matheson☐ MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: FOIA request regarding himself.

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>WHOLC</u>	ORIGINATOR	<u>DD 83/10/12</u>			<u>1/1</u>
<u>CVAT18</u>	Referral Note:	<u>D 83/10/12</u>		<u>S</u>	<u>83/10/22</u>
	Referral Note:	<u>DD</u>			
	Referral Note:	<u>1/1</u>			<u>1/1</u>
	Referral Note:	<u>1/1</u>			<u>1/1</u>
	Referral Note:	<u>1/1</u>			<u>1/1</u>

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Type of Response = Initials of Signer
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Comments: attach to 174113 CU

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File Folder

JGR/FOIA (FREEDOM OF INFORMATION ACT) (3 OF 6)

FOIA

F05-139/01

COOK

Box Number

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SF-5

DOC Document Type

No of Doc Date Restric-

NO Document Description

pages tions

2 LETTER

1 10/5/1983 B6

871

DOUGLAS MATHESON TO DIANA

174113

Freedom of Information Act - [5 U.S.C. 552(b)]

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E.O. 13233

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THE WHITE HOUSE

WASHINGTON

November 22, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Freedom of Information Act Request
of Robert C. Hahn

A Boston attorney has filed an FOIA request with the Department of Justice for certain documents concerning Indian land claims in New England and New York. In response to the request Justice uncovered in its files a February 9, 1977 letter from Senators Kennedy and Brooke, Speaker O'Neill, and Representative Studds to former President Carter. The letter discusses the problems caused by the pendency of Indian land claim litigation in Massachusetts, and urges the Federal Government to take an active role in achieving an out-of-court settlement. The letter also asks the President to designate a mediator to help resolve the dispute.

There is nothing controversial or sensitive about this letter, which was doubtless released by its signatories when originally sent. I have prepared a memorandum to the inquiring Justice attorney noting that we interpose no objection to release of this document.

Attachment

THE WHITE HOUSE
WASHINGTON

November 22, 1983

MEMORANDUM FOR W. LAWRENCE WALLACE
ACTING SECTION CHIEF, POLICY, LEGISLATION
AND SPECIAL LITIGATION SECTION
LAND AND NATURAL RESOURCES DIVISION, DOJ

Orig. signed by FFF

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Freedom of Information Act Request
of Robert C. Hahn

You have asked for our views on the proposed release, in response to the FOIA request of Robert C. Hahn, of the February 9, 1977 letter to former President Carter from Senators Kennedy and Brooke, Speaker O'Neill, and Representative Studds. We have no objection to the release of this letter.

FFF:JGR:aea 11/22/83
cc: FFFielding
JGRoberts
Subj
Chron

THE WHITE HOUSE

WASHINGTON

November 22, 1983

MEMORANDUM FOR W. LAWRENCE WALLACE
ACTING SECTION CHIEF, POLICY, LEGISLATION
AND SPECIAL LITIGATION SECTION
LAND AND NATURAL RESOURCES DIVISION, DOJ

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

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of Robert C. Hahn

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cc: FFFielding
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Chron

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

JV

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD) 1 / 1

Name of Correspondent: W. Lawrence Wallace

☐ MI Mail Report

User Codes: (A) (B) (C)

Subject: Freedom of Information Act request of Robert C. Hahn

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
WALL	ORIGINATOR	DD 83, 11, 12			1 / 1
WAT 18	Referral Note: D DD	83, 11, 14		S	DD 83, 11, 12
	Referral Note:				1 / 1
	Referral Note:				1 / 1
	Referral Note:				1 / 1
	Referral Note:				1 / 1

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Type of Response = Initials of Signer
Code = "A"
Completion Date = Date of Outgoing

Comments:

Copy of Feb 9, 1977 letter to the President from Senator Kennedy, et al, also attached

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Send all routing updates to Central Reference (Room 75, OEOB).

Always return completed correspondence record to Central Files.

Refer questions about the correspondence tracking system to Central Reference, ext. 2590.



236380-4-1

Washington, D.C. 20530

November 8, 1983

181154 cu

Mr. Fred Fielding
Counsel to the President
The White House
Washington, D.C. 20500

Re: Freedom of Information Act Request

Dear Mr. Fielding:

While processing the enclosed request of Robert C. Hahn, a February 9, 1977 letter to the President from Senators Kennedy and Brooke and Congressmen Studds and O'Neill was found.

I am sending you this letter for your review and recommendation. If you have any questions, please call Marty Kaplan of my staff at 633-1442.

Sincerely,

W. Lawrence Wallace
Acting Section Chief
Policy, Legislation and
Special Litigation Section
Land and Natural Resources Division

Enclosures

STUDDS

STUDDS

WASHINGTON OFFICE
1011 LEADERSHIP HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
202-635-3111

INTERNATIONAL RELATIONS
MERCHANT MARINE AND
FISHERIES

ADMINISTRATIVE ASSISTANT
ROBERT T. FRANCIS II

Congress of the United States

House of Representatives

Washington, D.C. 20515

February 9, 1977

DISTRICT OFFICE
GREATER NEW BEDFORD
POST OFFICE BUILDING
NEW BEDFORD, MASSACHUSETTS 02740
617-894-1751

SOUTH SHORE
1143 WASHINGTON STREET
(RT. 53 - 1 MILE SOUTH OF RT. 3)
HAVERHILL, MASSACHUSETTS 02339
617-876-2746

CAPE AND ISLANDS
FEDERAL BUILDING
78 NORTH STREET
HYANNIS, MASSACHUSETTS 02601
617-771-0115

Dear Mr. President:

We are writing to request your immediate assistance on a matter of major importance to the people of our state. As you may know, during the past five years, Indian people in several eastern states have been pursuing claims in the federal courts for the return of ancestral lands.

While many of the decisions on legal issues have arisen in connection with other claims, the claim filed last August for all of the land in the town of Mashpee, Massachusetts has been causing for several months the kinds of drastic economic effects which are still only anticipated in Maine. While the defendants in these actions are the private parties, municipalities, and state agencies which now occupy the disputed territory, this problem arises in large part because of the alleged historic failure of the Federal Government faithfully to execute its trust responsibility for Indians in the Northeast. The result is a present day conflict between the asserted legal rights of the Indians and the genuine hardship for the citizens of our state. We, therefore, feel that the Federal Government has a moral and legal obligation to take the lead in facilitating an out-of-court settlement of these claims.

The claims in question arise under the Indian Nonintercourse Act (25 U.S.C. § 177), the federal statute enacted in 1790 to prohibit any sales of tribal Indian land without the approval of Congress. While nearly all of the Indian land in the United States was taken in conformity with this statute, Indians have claimed that a large area in Maine, the entire town of Mashpee, Massachusetts, and a few other areas in other eastern states were taken without approval of Congress in violation of the Nonintercourse Act.

In 1975 the Indians won a decision from the U. S. Court of Appeals for the First Circuit, holding that the Non-intercourse Act applies to Indians in the eastern states and that the Act establishes a trust relationship between the Federal Government and the tribes which obliges the United States to investigate the Indians' claims and to take appropriate action in each case. The Indians have also won decisions in two district courts, which hold that the tribes may be entitled to recover possession of any land taken in violation of the statute regardless of the passage of time or the failure of the Federal Government to join them as a party plaintiff.

On the basis of these decisions, the Department of the Interior, in response to claims made by the Passamaquoddy and Penobscot Tribes in Maine, recently recommended that the Justice Department exercise the Federal Government's trust responsibility to the Indians and seek possession of this entire area for these tribes, plus monetary damages from those who may have illegally occupied the area.

In Massachusetts, the Mashpee Wampanoag Tribal Council did not wait to establish the federal trust relationship in its own court case, but proceeded directly to the filing of its land claim. When the tribe filed its claim last August alleging that virtually all of the land in the town of Mashpee was taken in violation of the Non-intercourse Act, the suit halted all mortgage financing in the town, put an end to practically all real estate transactions and construction, and created substantial and increasing hardships including inability of the town to issue bonds, and severe financial difficulties for individuals and businesses.

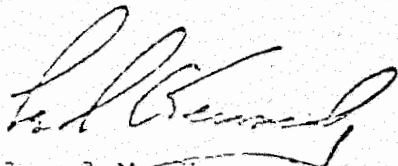
We believe that the quickest and fairest resolution of this problem would involve an out-of-court settlement, agreed to by all the parties involved. Since the Federal Government will surely need to participate in implementing this settlement, we believe that it would be useful and appropriate to have a special Presidential representative assist the parties in Mashpee at the earliest possible time in negotiating such a settlement. The President's delegate should be authorized to speak on behalf of the Administration and to commit the Administration to support a reasonable settlement ultimately reached, especially since that settlement is likely to involve reliance on some federal funding.

We believe the appointment of a mediator is the best hope for ending the serious economic disruption now occurring in Mashpee. In addition, we believe that accomplishment of a fair settlement of the Mashpee claim would encourage settlement of the other, similar claims in the eastern states.

We believe that, just as our Federal Government has in the past used every available means for resolving conflicts in other nations, so now it should make a maximum commitment to achieving a viable and satisfactory settlement of outstanding native land claims in New England. A Presidential representative of national stature would, by his or her presence, indicate your determination to find a solution acceptable to the government, as well as to the many other parties involved. We believe such a move on your part would greatly enhance the chances of finding an early and just settlement of this case.

We deeply appreciate your concern.

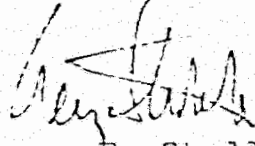
Sincerely,



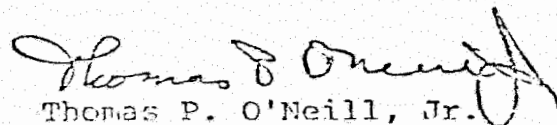
Edward M. Kennedy



Edward W. Brooke



Gerry E. Studds



Thomas P. O'Neill, Jr.

The President
The White House
Washington, D. C.

HAHN & MATKOV
ATTORNEYS AT LAW

40 COURT STREET, BOSTON, MASS. 02108
ROOM 920 TELEPHONE 523-2213

ROBERT C. HAHN
I. ALBERT MATKOV
WILLIAM A. HAHN

OF COUNSEL
D. W. WHITEHEAD
ROBERT R. PARKER

18 July 1983

Deputy Attorney General
Department of Justice
Washington, D. C. 20530

INFORMATION REQUEST

To the Department of Justice:

Pursuant to Title 5, United States Code, Section 552, and Title 28, Code of Federal Regulations, Sections 16.1 through 16.21, we request the following information:

1. All correspondence or other exchanges by and between the Native American Rights Fund (NARF) of Boulder, Colorado and Washington, DC or any of their representatives individually or through any branch office on the one hand, and the Department of Justice (DOJ) on the other, regarding Indians and/or Indian matters in Maine, Massachusetts, Rhode Island, Connecticut, New York and Vermont, including, but not limited to, the following Tribes, Bands, Groups or Communities and/or members thereof:

Maine

Passamaquoddy
Penobscot
Maliseet

Massachusetts

Mashpee
Gay Head
Chappaquiddick
Christiantown
Herring Pond
Troy or Fall River

Rhode Island

Narragansett

Connecticut

Mohegan
Schaghticoke
Mashentucket Pequot

New York

Oneida (of Wisconsin & NY)
Cayuga

Vermont

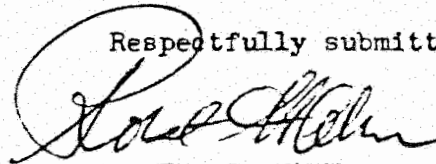
Abenaki

The requested correspondence includes, but is not limited to, letters, reports, memoranda, notes from telephone conversations and all other materials exchanged between any attorney or other employee of NARF and any DOJ attorney or other employee (without regard to date);

Information Request - DOJ
18 July 1983

2. All correspondence between Attorney Thomas N. Tureen, 178 Middle St., Portland, Maine (formerly of Calais, Maine), and the DOJ, its attorneys and employees;
3. All correspondence between Gladys, Donald and Marc Widdiss of Gay Head, Massachusetts on the one hand, and the DOJ, its attorneys and employees on the other;
4. All correspondence, including but not limited to letters, memoranda, notes and reports, between the Department of Interior, other federal agencies, Congressional committees, individual Congressmen and Senators, Congressional staff members, their attorneys and employees on the one hand, and the DOJ, its attorneys and employees on the other, involving the Indian tribes listed in paragraph 1 of this request.

Respectfully submitted,



ROBERT C. HAHN

H:b

THE WHITE HOUSE
WASHINGTON

December 2, 1983

TO: JOHN J. KELLEHER

FROM: JOHN G. ROBERTS

As per our discussion.

Dec. 9, 1983

TO: John G. Roberts

From: John J. Kelleher

As per our discussion.

FROM: MALIK RAHMAAN SHABAZZ
211 West 43rd Street
Los Angeles, California 90037

October 7, 1983

TO: DIRECTOR OF INFORMATION
GENERAL SERVICE ADMINISTRATION
18th & F Street NW
Room 6117
WASHINGTON, D. C. 20405

This Agency being cognizant, the amended Act provides that if some part of a file is exempt from release, that "reasonably segregable" portions shall be provided. Requester, therefore, request that if you determine that some portions of the requested information are exempt, that you provide him immediately with a copy of the remainder of the information on file. Requester, of course, reserve his right to appeal any such decisions.

If you determine that some or all of the requested information is exempt from release, requester would appreciate you advising him as to which exemption you believe covers the information which you are not releasing.


Requester is prepared to pay the costs specified in your regulations for locating the requested files and reproducing them.

This Agency being further cognizant, the amended Act permits you to reduce or waive the fees if such "is in the public interest, because furnishing the information can be considered as primarily benefiting the public. Requester believe that this request plainly fits that category and ask you to waive any fees.

Pursuant to this Act the following information is requested and elicited by authority of the Freedom of Information Act.

Requester desires to be furnished with the address, place of domicile and dwelling house or usual place of abode of (1) former President of the United States, Richard M. Nixon, (2) former President of the United States Gerald Ford, (3) former President of the United States, Jimmy Carter, and (4) President of the United States, Ronald Regan, and any agent appointed to receive service of process for each designated named President.

Respectfully submitted,


MALIK RAHMAAN SHABAZZ

NOV 15 REC'D



Date : November 16, 1983

Reply to
Attn of : ORAR

Subject: Freedom of Information Act (FOIA) request from Malik Rahmaan Shabazz

To : Mr. Fred F. Fielding
Counsel to the President
1600 Pennsylvania Ave. NW.
Washington, DC 20500

188137 *cu*

As per my telephone conversation today with Shelby, I am forwarding an FOIA request that we received from Malik Rahmaan Shabazz to your office for whatever appropriate action you deem necessary.

WILLIAM W. HIEBERT
Freedom of Information Act Officer

NOV 22 1983
U.S. DEPT. OF JUSTICE
FOIA OFFICE